

JONES, TULLAR & COOPER, P.C.

GEORGE M. COOPER
DOUGLAS R. HANSCOM
WILLIAM A. BLAKE
J. ANDREW MCKINNEY, JR.*
JENNIFER P. YANCY

ATTORNEYS AT LAW
A PROFESSIONAL CORPORATION
2001 JEFFERSON DAVIS HWY
SUITE 1002
ARLINGTON, VA 22202
TELEPHONE: (703) 415-1500
FACSIMILE: (703) 415-1508
www.jonestullarcooper.com

FIRM E-MAIL:
MAIL@JONESTULLARCOOPER.COM

WEBSITE:
WWW.JONESTULLARCOOPER.COM

* ADMITTED IN MD. NOT
ADMITTED IN VA.

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To: PCT Legal Administration

From: Douglas R. Hanscom

Date: 6/22/07

Number of Pages Including Cover Sheet: 4

Subject:

Message:

10/587,049 - Joos et al.
Reply to notification of
Defective Response

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In Re application of
Wolfgang JOOS et al.
Application No. 10/587,049
Filed July 24, 2006**

**For: PRINTING MACHINE HAVING AT LEAST
ONE PRINTING UNIT FOR IMPRINTING
A WEB OF MATERIAL TO BE IMPRINTED
BY OFFSET PRINTING IN A VARIABLE CUT
LENGTH AND A FOLDER**

Group Art Unit:

Examiner:

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**Legal Staff
International Division**

REPLY TO NOTIFICATION OF DEFECTIVE RESPONSE

**Attn: PCT Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Sir:

A Notification of Defective Response was mailed to the undersigned in the subject U.S. patent application on June 15, 2007. That Notification was mailed in reply to a Response to Notification of Missing Requirements which the undersigned filed on May 11, 2007.

As is set forth in detail in that Response of May 11, 2007, the subject U.S. application is being filed in the names of nine inventors. The U.S. application is the national phase of a PCT application, which PCT application named only six of those nine inventors. In anticipation of the need to add the missing inventors in the U.S. national phase application, the U.S. national phase application was filed without an

executed Declaration.

A Notification of Missing Requirements Under 35 USC 371 was mailed to the undersigned on March 28, 2007. The Response to Notification of Missing Requirements, of May 11, 2007, was filed in response to that Notification. In the preparation of that Response, the undersigned followed the procedures set forth in 37 CFR 1.497(d)(1)(2)(3) and (4). Specifically, there were submitted three Statements Under 37 CFR 1.497(d)(1) executed by the three inventors being added. An Assent of Assignee to Correction and/or Addition of Inventors was filed. A Statement Under 37 CFR 3.73(b) was filed. The undersigned requested that the fee of \$130.00 be charged to the undersigned's deposit account. In short, the undersigned believed that the materials filed on May 11, 2007 constituted a proper Rule 48 petition to add the three missing inventors.

The Notification of Defective Response asserted that inventors Wolfgang Joos and Peter Wilhelm Kurt Leidig did not sign the Declaration filed May 11, 2007. Since the signatures of those two inventors, as well as of all other seven inventors are clearly present on the Declaration, the undersigned telephoned Ms. Paulette Kidwell on June 18, 2007. Ms. Kidwell advised the undersigned that the notification of Defective Response was inaccurate and that it was, in fact, intended to indicate that the PCT application listed only six inventors and that the listing of more inventors on the Declaration filed May 11, 2007 was not an acceptable response. Ms. Kidwell indicated that the filing of a PCT/IB 306 form, in the PCT application, would be the proper response.

After again reading 37 CFR 1.497(d), the undersigned contacted the PCT Legal

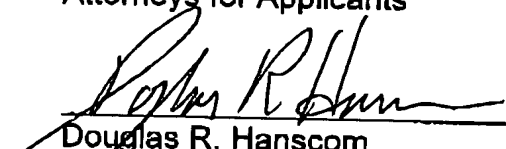
Administration Office. During a telephone discussion with one of the Special Programs Examiners on June 22, 2007, the undersigned was advised that the materials filed May 11, 2007, which materials the Special Programs Examiner confirmed are in the file, constituted a proper Rule 48 Petition. The undersigned thus does not understand the issuance of the Notification of Defective Response on June 15, 2007.

It is requested that the Notification of Defective Response of June 15, 2007 be withdrawn. The undersigned believes that the materials filed May 11, 2007 are an appropriate response to the Notification of Missing Requirements Under 35 USC 371, mailed March 28, 2007. It is respectfully requested that the subject application be granted a filing date as of the May 11, 2007 submission. It is further requested that the undersigned be contacted if further materials are required.

Respectfully submitted,

Wolfgang JOOS et al.
Applicants

JONES, TULLAR & COOPER, P.C.
Attorneys for Applicants



Douglas R. Hanscom
Reg. No. 26, 600

June 22, 2007
JONES, TULLAR & COOPER, P.C.
P.O. Box 2266 Eads Station
Arlington, Virginia 22202
(703) 415-1500
Attorney Docket: W1.2331 PCT-US

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